

REMARKS

The Office Action dated April 7, 2005, has been carefully considered. In response thereto, the application has been amended in a manner which is believed to place it into condition for allowance. Accordingly, reconsideration and withdrawal of the Final Rejection and allowance of the pending claims are respectfully solicited in view of the foregoing amendments and the following remarks.

The Applicant respectfully submits that the present Amendment overcomes the rejection of claims 2-10, 12 and 13 under 35 U.S.C. § 112, second paragraph. The claim amendments introduce no new matter, since they are supported in the originally filed specification, e.g., in the last full paragraph of page 10.

The Applicant further submits that the subject matter defined by the amended claims is not anticipated by, and would not have been obvious over, U.S. Patent No. 6,157, 871 to *Terranova*. The present claimed invention comprises at least one vehicle presence detector performing automatic detection of a vehicle. Because the detection is automatic, the limitation directed to the vehicle presence detector is not met by systems in which a user must perform a manual operation such as swiping a card or a payment key fob.

As noted above, the antenna of the applied reference could not be the vehicle presence detector of the present claimed invention. The antenna could never be activated in response to a notification from the vehicle presence detector, since an antenna which was in an inactive state could not supply the notification to activate itself.

The present claimed invention, by using a vehicle presence detector as recited in the claims, offers an advantage not taught or suggested by the prior art. Namely, as described in the last full paragraph of page 9 of the originally filed specification, the present claimed invention allows a simplification in architecture relative to systems of the prior art.

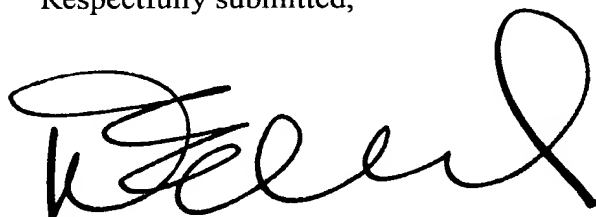
Therefore, the Applicant respectfully traverses the grounds of rejection under 35 U.S.C. §§ 102 and 103 over *Terranova*.

In light of the above, the Applicant respectfully submits that the application as amended is in condition for allowance. Notice of such allowance is earnestly solicited.

If there remain any issues that can be overcome most easily through a telephonic interview, the Examiner is invited to telephone the undersigned at the telephone number set forth below.

Please charge any deficiency in fees, or credit any overpayment thereof, to BLANK ROME LLP, Deposit Account No. 23-2185 (114944-00106). If an extension of time is required to render this Amendment timely and either is not filed concurrently herewith or is insufficient to render this Amendment timely, the Applicant hereby petitions under 37 C.F.R. § 1.136(a) for such an extension for as many months as are required to render this Amendment timely. Any fee due is authorized above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Edmondson', written over a horizontal line.

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